

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DR. ORLY TAITZ, ESQ.

Plaintiff,

VS.

KATHLEEN SEBELIUS,
ET AL.

Defendants.

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CIVIL NO. 3:12-CV-3251-P

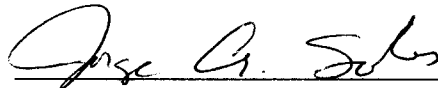
ORDER TO SHOW CAUSE

This is an unspecified civil action brought by Dr. Orly Taitz, appearing *pro se*, which appears to challenge the constitutionality of the Patient Protection and Affordable Care Act, assert claims of constitutional violations under 42 U.S.C. § 1983, and allege the violation of various federal statutes. Although plaintiff does not specify the grounds upon which the court has subject matter jurisdiction, it is clear from the face of the complaint that federal jurisdiction is not founded solely on diversity of citizenship. In such cases, a civil action must be brought in the judicial district and division where: (1) the defendant resides; (2) a substantial part of the events or omissions giving rise to the claim occurred; or (3) where any defendant may be found if there is no district in which the action may otherwise be brought. *See* 28 U.S.C. § 1391(b). The court may transfer a case to any proper judicial district or division “for the convenience of parties and witnesses, in the interest of justice,” *id.* § 1404(a), or may transfer a case filed in the wrong district or division “to any district or division in which it could have been brought[.]” *id.* § 1406(a). A district court may raise the issue of venue *sua sponte*. *See Mills v. Beech Aircraft Corp.*, 886 F.2d 758, 761 (5th Cir. 1989).

Plaintiff fails to state any basis for venue in the Northern District of Texas. Instead, the complaint appears to allege venue in the Central District of California under the Freedom of Information Act and 42 U.S.C. § 1988(a), and because “several plaintiffs live in Orange County within the Southern Division of the Central District of California.” *See* Plf. Compl. at 6. The Central District of California has previously dismissed this lawsuit without prejudice for lack of venue. *See Taitz v. Sebelius*, No. 8:12-CV-1092-DMG-JC (C.D. Cal. Aug. 16, 2012). In light of these venue facts, plaintiff is directed to show cause why this case should not be transferred to the proper judicial district and division or dismissed without prejudice for lack of venue. A written response to this order shall be filed by **September 10, 2012**.

SO ORDERED.

DATED: August 28, 2012.



Jorge A. Solis
United States District Judge